

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: ERICK SHANER
DEPUTY ATTORNEY GENERAL

DATE: OCTOBER 7, 2021

SUBJECT: IN THE MATTER OF COLUMBINE TELEPHONE COMPANY, INC.'S
APPLICATION TO CHANGE THE MANNER IN WHICH FACILITIES
EXTENSIONS ARE HANDLED; CASE NO. COL-T-21-01.

On May 14, 2021, Columbine Telephone Company, Inc. dba Silver Star Communications (“Company”) filed changes to its tariff with the Commission. The Company proposes to change how the cost of a line extension will be shared between the applicant and the Company. The Company proposed a June 15, 2021, effective date for the modified tariff.

At the June 8, 2021, Decision Meeting, Commission Staff noted the proposed changes constitute an increase in rates and therefore should not be handled through a tariff advice. Staff suggested the Commission initiate a formal proceeding to determine whether the proposed tariffs comply with the Commission’s regulatory requirements.

On June 14, 2021, the Commission issued a Notice of Application, Suspension of Proposed Effective Date, and Notice of Modified Procedure and converted the Company’s proposed tariff modifications into an Application to be processed by Modified Procedure, suspended the Company’s proposed effective date for 60 days, and established comment deadlines.

Staff filed comments on July 8, 2021. The Company filed reply comments on July 15, 2021. On August 16, 2021, the Commission issued a Notice of Continued Suspensions of Effective Date and Notice of Inquiry. Order No. 35133. In Order No. 35133, the Commission found that the existing record was insufficient to allow the Company to implement its tariff changes. *Id.* at 1. The Commission continued the suspension of the Company’s proposed effective date for an additional 60 days, unless the Commission issued an earlier order accepting, rejecting, or

modifying the Company's Application, to allow time for the Company to provide comment and supplement the record on several matters. *Id.* The Commission also ordered the Company to file answers to the questions posed by the Commission at its earliest convenience. *Id.* at 2.

The Company has not filed a response at this time, but based on informal communications, the Company plans to file a response before the deadline. Also, the deadline for the Company to file a response and the suspension of the Company's proposed effective date occur simultaneously.

COMMISSION DECISION

Does the Commission want to suspend the proposed effective date for an additional sixty (60) days, unless the Commission issues an earlier order accepting, rejecting, or modifying the Company's Application, to allow the Commission time to review the record and issue an order?

Anything else?



Erick Shaner
Deputy Attorney General